

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 7, Department of Environmental Quality - Remedial Action
Articles and their headings: 1, Water Quality Assurance Revolving Fund
2, Soil Remediation Standards
Section numbers: To be determined
2. **Subject matter of the proposed rules:**
Pursuant to A.R.S. §§ 49-151 and 49-152, this permanent rule establishes Department-wide standards applicable to soil remediation activities. As mandated by Laws 1995, Ch. 232, § 5, this permanent Soil Remediation Standards rule will supersede the emergency Interim Soil Remediation Standards rule which is presently effective. The Department expects that the proposed permanent rule will contain pre-determined risk based remediation standards and a process for developing remediation standards from a site-specific risk assessment.

Because of this rulemaking will affect multiple Chapters within A.A.C. Title 18, a Notice of Rulemaking Docket Opening has also been published simultaneously for 18 A.A.C. 8, Department of Environmental Quality - Waste Management, Article 1, R18-8-101.
3. **A citation to all published notices relating to the proceeding:**
The following citations reference the approved emergency Interim Soil Remediation rule. A Notice of Emergency Rulemaking (for Chapter 7 and containing a full text of the approved rule) appeared in 2 A.A.R. 1465, April 19, 1996, and a Notice of Emergency Rulemaking (for 18 A.A.C. 8 and containing the full text of the approved rule) appeared in 2 A.A.R. 1484, April 19, 1996. The approved Interim Soil Remediation Standards and related rules appear in the A.A.C. R18-7-109, R18-7-201 through R18-7-209, and R18-8-101.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Kathryn A. Cross, Rule Development Section
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222 (1-800-234-5677, ext. 2222)
Fax: (602) 207-2251
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Department will accept written comments for 30 days following publication of the proposed rulemaking.

The Department will schedule an oral proceeding, within the statutorily mandated time frame, to be noticed in the *Register*.
6. **A timetable for agency decisions or other action in the proceeding:**
Laws 1996, Ch. 151, § 9, provides that the permanent rule shall be adopted no later than August 1, 1997, and that the emergency rules shall remain in effect until the formally established rules are adopted.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 8, Department of Environmental Quality - Waste Management
Article and its heading: 1, Remedial Action Requirements
Section numbers: To be determined
2. **Subject matter of the proposed rules:**
Pursuant to A.R.S. §§ 49-151 and 49-152, this permanent rule establishes Department-wide standards applicable to soil remediation activities. Because this rulemaking will affect multiple Chapters within A.A.C. Title 18, a Notice of Rulemaking Docket Opening has also been published simultaneously for 18 A.A.C. 7, Department of Environmental Quality - Remedial Action, Arti-

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cle 1 and 2. For further information, please see explanatory material for this rulemaking found under 18 A.A.C. 7 in this issue of the *Register*.

3. A citation to all published notices relating to the proceeding:

The following citations reference the approved emergency Interim Soil Remediation rule. A Notice of Emergency Rulemaking (for Chapter 7 and containing a full text of the approved rule) appeared in 2 A.A.R. 1465, April 19, 1996, and a Notice of Emergency Rulemaking (for Chapter 8 and containing the full text of the approved rule) appeared in 2 A.A.R. 1484, April 19, 1996. The approved Interim Soil Remediation Standards and related rules appear in the A.A.C. R18-7-109, R18-7-201 through R18-7-209, and R18-8-101.

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